IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 746/1998

MAMRAJ GUJAR Vs. UNION OF INDIA & ORS.

Date: 27.11.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. Sanjeev Prakash Sharma for the petitioner.
Mr. Sumit Khandelwal for
Mr. Kunal Rawat for the respondents.

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The petitioner was appointed as Constable in C.R.P.F. after undergoing the selection and interview and was directed to join on 26.08.94 at Group Centre-II, CRPF, Amer and on the same day the petitioner has joined, but vide order dated 01.04.95, the services of the petitioner have been terminated on the ground of concealment as the petitioner has not furnished the correct information in the application form, which was required to be filled correctly by the petitioner. On verification, it was found that a criminal case was registered against the petitioner on 16.07.94 under Sections 147, 148, 149, 325, 324 and 323 IPC. The petitioner submits that he has not concealed the fact and the criminal case was registered after his joining, which is per se incorrect. As the form was filled up by

the petitioner on 19.07.94 and the case was registered on 16.07.94 and the petitioner has joined the services on 26.08.94, which clearly indicates that the criminal case was registered against the petitioner prior to filling up the form and joining the services, therefore, vide impugned order dated 01.04.95 services of the petitioner, upon verification of the petitioner, have rightly been terminated and the appellate authority has rejected the representation filed by the petitioner after due consideration.

The services of the petitioner have been terminated on account of concealment of fact at the time of filling up the form for the post of Constable. The petitioner in column No.17 of the form 'Whether any criminal case is pending against the applicant', has not given the correct information regarding criminal case.

Thus, in view of the ratio decided by the Hon'ble Supreme Court in the case of ***Delhi Administration through its Chief Secretary & Ors. Vs. Sushil Kumar, decided on 04.10.96 and reported in (1996) 11 SCC 605,*** the writ petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

/KKC/